

House File 593

H-1223

1 Amend House File 593 as follows:

2 1. Page 1, by striking lines 19 through 34 and
3 inserting:

4 *<a. "Electronic" means any communication involving*
5 *the>*

6 2. Page 2, by striking lines 6 through 21 and
7 inserting:

8 *<b. "Harassment" and "bullying" shall be construed*
9 *to mean any electronic, written, verbal, or physical*
10 *act or conduct toward occurs when a student which*
11 *is intimidated, annoyed, or alarmed by another*
12 *student, based on any actual or perceived trait or*
13 *characteristic of the student, and which creates an*
14 *objectively hostile school environment that meets one*
15 *or more by any of the following conditions means:*

16 *(1) Electronic, written, or verbal communication*
17 *with the student without legitimate purpose and in a*
18 *manner likely to cause the student annoyance or harm.*

19 *(2) Personal contact with the student or any other*
20 *physical act toward the student, with the intent to*
21 *threaten, intimidate, or alarm the student, that is*
22 *purposeful and without legitimate purpose.*

23 *c. "Objectively hostile school environment" means*
24 *a school environment that meets one or more of the*
25 *following conditions:*

26 *(1) Places the a student in reasonable fear of harm*
27 *to the student's person or property.*

28 *(2) Has a substantially detrimental effect on the a*
29 *student's physical or mental health.*

30 *(3) Has the effect of substantially interfering*
31 *with a student's academic performance.*

32 *(4) Has the effect of substantially interfering*
33 *with the a student's ability to participate in or*
34 *benefit from the services, activities, or privileges*
35 *provided by a school.*

36 *d. "Personal contact" means an encounter in which*
37 *two or more people are in visual or physical proximity*
38 *to each other. "Personal contact" does not require a*
39 *physical touching or oral communication, although it*
40 *may include such contact.*

41 *e. e. "Trait or characteristic of the student"*
42 *includes but>*

43 3. Page 2, line 30, by striking *<e.>* and inserting
44 *<f.>*

45 4. Page 4, line 25, by striking *<Programs*
46 *encouraged>* and inserting *<Programs encouraged*
47 *Schoolwide programs>*

48 5. Page 4, line 27, by striking *<are encouraged to>*
49 and inserting *<are encouraged to shall>*

50 6. Page 4, line 32, before *<training>* by inserting

1 <evidence-based>
2 7. Page 5, line 4, by striking <a.>
3 8. Page 5, by striking lines 13 through 24.
4 9. Page 5, by striking lines 25 through 28 and
5 inserting:
6 <6. *Collection requirement — report.*
7 *a.* The board of directors of a school district
8 and the authorities in charge of each nonpublic
9 school shall develop and maintain a system to collect
10 harassment and bullying incidence data. The system
11 shall include data on each incident of harassment or
12 bullying, including the date of the incident and the
13 type of harassment or bullying involved, as defined in
14 subsection 2, paragraph "b".
15 *b.* The department shall establish a database of
16 harassment and bullying incidence data. The department
17 shall include in its annual condition of education
18 report a summary of harassment and bullying incidence
19 data.>

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